

ARGUMENTS/REMARKS

Applicants would like to thank the examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office action, and amended as necessary to more clearly and particularly describe and claim the subject matter which applicants regard as the invention.

Claims 2-6, 9, 11-19 and 21-24 remain in this application. Claims 1, 7-8, 10, and 20 have been previously canceled. Claim 25 is added without adding any new matter.

Claims 2-6, 9, 11-19, 21-22 (and apparently 23-24, which were not specified by the Examiner) were rejected under 35 U.S.C. §102(e) as being anticipated by Takano (U.S. 5,924,043). For the following reasons, the rejections are respectfully traversed.

Claim 21, as amended, recites:

a transmission power control step range changer for internally changing a variable power step amount of a transmission power control step based on both the transmission power control bit and the detected one or more of: the *change in the reception power of the received signal obtained by comparing the previous reception power with the current reception power*, the *current transmission power of the distant station*, and the *current transmission power of said apparatus*;

(emphasis added) wherein the apparatus "internally increases or decreases a transmission power of a transmitted signal to the distant station by the changed power step amount in response to the transmission power control bit received from the distant station" (emphasis added).

Similarly, claim 22, as amended, recites

the apparatus having a transmission power control step range changing step which internally changes a variable power step amount of a transmission power control step based on both the transmission power control bit and the detected one or more of: the *change in the reception power of the received signal obtained by comparing the previous reception power with the current reception power*, the *current*

transmission power of the distant station, and the current transmission power of said apparatus

(emphasis added) with the apparatus “internally increasing or decreasing a transmission power of a signal transmitted to the distant station by the changed power step amount”. Takano fails to teach these limitations.

The Examiner argues that Takano teaches changing a step amount in response to two factors, these being the TPC bits and the second factor being a “speed detector for detecting its own motion speed”, citing col. 4, lines 19-44 and col. 13, lines 10-12. Regardless of whether the Examiner is correct or not, such a teaching does not anticipate the features of the claims.

The claims do not recite any limitations directed at the “speed detector” for detecting a “motion speed”. Instead, claims recites using one or more of a comparison of “the previous reception power with the current reception power, the current transmission power of the distant station, and the current transmission power of said apparatus”. None of these limitations discuss any use of a “speed detector” or any detection of motion speed. Accordingly, claim 22 is patentable over the reference.

The remaining claims are patentable over the reference for similar reasons, i.e., they specify the use of at least one parameter other than the TPC or motion speed. Accordingly, all claims are patentable over the reference.

In consideration of the foregoing analysis, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

Application No. 09/762,073
Amendment dated December 17, 2007
Response to Office action dated September 18, 2007

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. NGB-33220.

Respectfully submitted,
PEARNE & GORDON, LLP

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